

IN THE MAGISTRATE COURT OF \_\_\_\_\_ COUNTY, WEST VIRGINIA

CASE NAME \_\_\_\_\_ v. \_\_\_\_\_

Name & Address of Judgment Debtor Subject to This Suggestion:

Case No. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Judgment Debtor's Social Security No.

\_\_\_\_\_  
Judgment Debtor's Date of Birth

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**SUGGESTION OF PERSONAL PROPERTY**

[Other than Salary and Wages]

On \_\_\_\_\_, a judgment was awarded to \_\_\_\_\_

as judgment creditor, in the amount of \$ \_\_\_\_\_, with interest from the date of judgment at the rate of \_\_\_\_\_

percent per year, plus \$ \_\_\_\_\_ in costs. A writ of execution has previously issued against the judgment debtor and has **not**

been satisfied. The current unpaid balance of the judgment is:

Unpaid Principal	\$ _____
Unpaid Interest	_____
Unpaid Costs	_____
Costs of this Suggestion	=====
<b>TOTAL</b>	\$ _____

The judgment creditor suggests that the following person, corporation or other entity:

Name of person, corporation or other entity (sugestee): \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

is indebted or liable to the judgment debtor, or is in possession of property belonging to the judgment debtor, which is subject to the judgment creditor's previously issued writ of execution. This property consists of the following:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Judgment Creditor

**SUMMONS**

TO: Name and address of person, corporation or other entity (suggestee)

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In the name of the State of West Virginia, you are hereby summoned to file with this court a written answer, under oath, to the above suggestion and to serve the answer upon the following persons within 20 days after service of this summons:

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 Name of judgment creditor's attorney (if no attorney, name of creditor)

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 Name of judgment debtor's attorney (if no attorney, name of debtor)

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 Address of judgment creditor's attorney or judgment creditor

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 Address of judgment debtor's attorney or judgment debtor

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 Date

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 Signature of Clerk

**NOTICE TO SUGGESTEE:** You are required to disclose the nature and amount of liability or indebtedness to the judgment debtor as of the time you are served with this summons. Service of your answer may be provided by first-class mail and must be made within 20 days after the summons is served on you. Unless directed otherwise, instead of serving the judgment creditor with an answer you may choose to deliver the suggested property or pay the money to the judgment creditor or to the sheriff for delivery to the judgment creditor. A written answer still must be filed with the court noting that such delivery has occurred.

However, if you want a court order either authorizing you to release the property to the judgment creditor or for another reason, then you **MUST** file a written answer with the court within 20 days disclosing the nature and amount liability or indebtedness to the judgment debtor as well as what action you would like the Court to take. This answer must be served on the judgment creditor and judgment debtor. Service of your answer may be provided by first-class mail.

**NOTICE TO JUDGMENT DEBTOR:** Some or all of your property may be exempt from this suggestion under state and federal law. If you wish to claim exemptions, you must do so promptly by filing an affidavit of exemption with the sheriff and requesting a certificate of exemption to release the suggested property. An affidavit form may be obtained from the clerk. You may wish to consult a lawyer regarding your exemption rights.